

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 21 and 22 are pending in this application. Claims 21 and 22 are independent and are hereby amended. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. Support for this amendment is provided throughout the Specification as originally filed.

No new matter has been introduced by this amendment. Changes to claims are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

### **II. SUPPORT FOR AMENDMENTS**

Support for the amendments made herein is found in the as-filed specification and, for example, in Publ. App. par. [0195]-[0229], and FIGS. 15 and 25

### **III. REJECTIONS UNDER 35 U.S.C. § 103**

Claims 20 and 21 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Pat. No. 7,039,599 to Merriman et al. ("Merriman") in view of U.S. Pat. No. 6,308,202 to

Cohn et al. (“Cohn”) and further in view of U.S. Pat. App. Pub. No. 2007/000528 to Jacobs et al. (“Jacobs”).

Applicants respectfully traverse these rejections.

Claim 22 is representative and recites, *inter alia*:

“a history recording unit for recording history of recording of the information picture;

an updating permission/negation unit for determining permission/negation of updating of the related information in accordance with updating condition information, the updating condition information includes the history recorded in the history recording unit.”

In the invention as claimed in claim 21, a history recording unit controls the second management area of client to have ability to determine updating history with respect to respective recorded information pictures. The updating permission/negation unit then determines permission/negation of operation based on related information that includes the history information.

The history recording section is connected to the information picture recording section, and is adapted so that when information picture recorded in the information picture recording section 1605 is updated, or when information picture is newly recorded, it receives notification to the effect that updating/recording has been carried out.

In operation the permission/negation unit history recording unit, and to determine permission/negation of whether the updating of the related information is permitted. Accordingly, when judged to be permitted, it makes judgment so as to carry out operation based on its related information, while in the case where the operation is judged to be negated, it makes determination so as not to conduct operation.

Because it is possible to make judgment in the history recording unit as to whether or not recording/updating is carried out within at least a predetermined number of information pictures from the nearest information picture, it is judged by this function that in the case where recording/updating is carried out within the predetermined number of information pictures from the nearest information, the operation is judged to be permitted, while in the case where recording/updating is carried out at time older than that, the operation is judged to be negated. Publ. App. pars. [0214]-0229].

Neither Merriman, Cohn, nor Jacobs teaches, suggests or renders predictable the above-recited elements of claim 21. Indeed, none of those references even mention recording the history the information picture and determining permission/negation of the updating the related information based on the recorded history of the information picture.

For reasons similar or somewhat similar to those recited above regarding claim 21, claim 22 is also patentable.

### **CONCLUSION**

Because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By: 

Paul A. Levy  
Reg. No. 45,748  
(212) 588-0800